

Amendment No. 2 to SB1325

Southerland
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1325*

House Bill No. 1851

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1551, is amended by deleting the following language in its entirety:

Any law or regulation of tobacco products enacted or promulgated after March 15, 1994, by any agency or political subdivision of the state or any agency thereof is void; provided, that cities, counties and counties having a metropolitan form of government may regulate the use of tobacco products in buildings owned or leased by the political subdivisions; and provided further, that airport authorities created pursuant to the provisions of title 42; utility districts created pursuant to the provisions of title 7; and special school districts may regulate the use of tobacco products in buildings owned or leased by the entities.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 17, Part 16, is amended by inserting the following as a new, appropriately designated section thereto:

(a) As used in this section, unless the context otherwise requires:

(1) "Publicly-owned building" means any building owned, leased or operated by the state of Tennessee or any political subdivision of the state, regardless of the purpose for which the building is used or intended to be used;

(2) "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or in any form.

(b) Notwithstanding any law, rule, regulation or policy to the contrary, smoking shall be prohibited in all publicly-owned buildings within the state of Tennessee.

(c) This prohibition on smoking shall be communicated to all existing employees working in publicly-owned buildings by the effective date of this act and to all prospective employees upon their application of employment.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.